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4 **UNITED STATES DISTRICT COURT**
5 **DISTRICT OF NEVADA**

6 UNITED STATES OF AMERICA,)
7 Plaintiff,)
8 v.) 2:11-CR-327-PMP-(CWH)
9 BO ARDEN ELLISON,)
10 Defendant.)

11 **FINAL ORDER OF FORFEITURE**

12 On July 5, 2012, the United States District Court for the District of Nevada entered a
13 Preliminary Order of Forfeiture pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2); Title 18, United States
14 Code, Section 924(d)(1), (2)(C), and (3)(B) and Title 28, United States Code, Section 2461(c); Title
15 21, United States Code, Section 853(a)(1), (a)(2), and (p); and Title 21, United States Code, Section
16 881(a)(11) and Title 28, United States Code, Section 2461(c); and based upon the plea of guilty by
17 defendant BO ARDEN ELLISON to criminal offenses, forfeiting specific property alleged in the
18 Superseding Information and agreed to in the Plea Memorandum and shown by the United States to
19 have a requisite nexus to the offenses to which defendant BO ARDEN ELLISON pled guilty.
20 Superseding Information, ECF No. 65; Preliminary Order of Forfeiture, ECF No. 67; Plea
21 Memorandum, ECF No. 68; Change of Plea Minutes, ECF No. 70.

22 This Court finds the United States of America published the notice of the forfeiture in
23 accordance with the via the official government internet forfeiture site, www.forfeiture.gov,
24 consecutively from July 14, 2012, through August 12, 2012, and notified all known third parties by
25 personal service or by regular mail and certified mail return receipt requested, of their right to petition
26 . . .

1 the Court. Notice of Filing Proof of Publication, ECF No. 74; Notice of Filing Service of Process, ECF
2 No. 129.

3 On January 8, 2013, Patrick John Allen, II was served by personal service with a copy of the
4 Preliminary Order of Forfeiture and the Notice. Notice of Filing Service of Process, ECF No. 129, p.
5 2-5 and 10-12.

6 On January 8, 2013, the U.S. Marshal's Service attempted to personally serve Bennett Lynden
7 Madole with a copy of the Preliminary Order of Forfeiture and the Notice at 1905 Deosma Street, Las
8 Vegas, Nevada, but could not locate him. Notice of Filing Service of Process, ECF No. 129, p. 20-23
9 and 28-30.

10 On March 14, 2013, the U.S. Marshal's Service attempted to personally serve Bennett Lynden
11 Madole with a copy of the Preliminary Order of Forfeiture and the Notice at 1724 Adra Ct., Las
12 Vegas, Nevada, but could not locate him. Notice of Filing Service of Process, ECF No. 129, p. 38-41
13 and 46-48.

14 On August 27, 2013, Federal Bureau of Investigation Special Agent Warren R. Burke signed a
15 Declaration Regarding Service of Process stating that after further investigation it was found that
16 Bennett Lynden Madole died on October 22, 2011. Notice of Filing Service of Process, ECF No. 129,
17 p. 56-59.

18 This Court finds no petition was filed herein by or on behalf of any person or entity and the
19 time for filing such petitions and claims has expired.

20 This Court finds no petitions are pending with regard to the assets named herein and the time
21 for presenting such petitions has expired.

22 THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that all right,
23 title, and interest in the property hereinafter described is condemned, forfeited, and vested in the
24 United States of America pursuant to Fed. R. Crim. P. 32.2(b)(4)(A) and (B); Fed. R. Crim. P.
25 32.2(c)(2); Title 18, United States Code, Section 924(d)(1), (2)(C), and (3)(B) and Title 28, United
26 States Code, Section 2461(c); Title 21, United States Code, Section 853(a)(1), (a)(2), (n)(7) and (p);

1 and Title 21, United States Code, Section 881(a)(11) and Title 28, United States Code, Section
2 2461(c); and shall be disposed of according to law:

- 3 (a) Maverick model 88 12 gauge short-barreled shotgun, serial number
4 MV04934G;
- 5 (b) Mossberg model 500A 12 gauge shotgun, serial number L244961;
- 6 (c) Intratec Model Tec-9 9mm, serial number 23988;
- 7 (d) Russian SKS 7.62X39 rifle, with bayonet, serial number 9937905;
- 8 (e) Beretta model 92FS Compact 9mm pistol, serial number E31982Z;
- 9 (f) a homemade Mac-11 type 9mm pistol;
- 10 (g) Keltic CNC Industries, Inc. P11 pistol 9mm, serial number ASK60;
- 11 (h) any and all ammunition;
- 12 (i) an in personam criminal forfeiture money judgment of \$900.00 in United States
13 Currency; and
- 14 (j) an in personam criminal forfeiture money judgment of \$300.00 in United States
15 Currency (“property”).

16 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any and all forfeited funds,
17 including but not limited to, currency, currency equivalents, certificates of deposit, as well as
18 any income derived as a result of the United States of America’s management of any property
19 forfeited herein, and the proceeds from the sale of any forfeited property shall be disposed of
20 according to law.

21 The Clerk is hereby directed to send copies of this Order to all counsel of record and three
22 certified copies to the United States Attorney’s Office.

23 DATED this 19th day of November, 2013.

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UNITED STATES DISTRICT JUDGE

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CM/ECF:

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